

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LAURA LEE SMITH,

Plaintiff,

v.

DOUG COLE,

Defendant.

CASE NO. C10-5325BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 16). The Court having considered the Report and Recommendation and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The Report and Recommendation is **ADOPTED**;
- (2) Petitioner's writ of habeas corpus petition brought under 28 U.S.C. § 2254 is **DISMISSED** as it is time barred by the statute of limitations and for failure to exhaust state remedies.

DATED this 3rd day of December, 2010.



BENJAMIN H. SETTLE  
United States District Judge